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15 *Attorneys for Relators*

16 UNITED STATES DISTRICT COURT
17 DISTRICT OF NEVADA

18 UNITED STATES OF AMERICA and STATE
19 OF CALIFORNIA ex rel. DIXIE SWITZER,
20 AS EXECUTOR TO THE ESTATE OF TED
21 SWITZER, AND DIXIE SWITZER

22 Plaintiffs,

23 v.

24 ROBERT C. WOOD, II, *et al.*,

25 Defendants.

CASE NO. 2:23-cv-00999-ART-NJK

**ORDER GRANTING STATUS
REPORT AND SECOND
STIPULATION FOR 21-DAY
EXTENSION OF TIME TO FILE
DISMISSAL PAPERS**

1 Relator Dixie Switzer in her own stead and as executor to the estate of Ted Switzer
2 (“relators”), and defendants Thomas Dunn, M.D., Archie Perry, M.D., TDSW, LLC, and Kainalu,
3 LLC (“defendants”) provide the following status report and second stipulation for a 21-day
4 extension of time to file dismissal papers.

5 On February 21, 2024, relators and defendants filed their joint notice of tentative settlement
6 of the entire action, “subject to the negotiation of mutually agreeable settlement documentation
7 and approval by the United States Department of Justice [(“DOJ”)].” (Dkt. 151). In that notice, the
8 parties explained that “the timeline for approval of qui tam settlement agreements from DOJ varies
9 significantly, but typically ranges from 45 to 90 days.” (Id.). On April 23, 2024, the Court issued
10 an order “to file dismissal papers or a joint status report by May 21, 2024.” (Dkt. 152).

11 On March 19, 2024, relators and defendants provided their agreed-upon settlement
12 agreements to the U.S. Attorney’s Office for the Central District of California (“USAO-C.D. Cal.”)
13 and DOJ (collectively, “government entities”) for approval. On April 24, 2024, relators submitted
14 their request for a percentage of the relator’s share pursuant to 31 U.S.C. § 3730(d)(2). On April
15 29, 2024, relators and defendants agreed on the terms of the dismissal of this action in its entirety
16 and provided that dismissal to DOJ for its approval on that same date.

17 On May 9, 2024, the Court granted the parties’ request for a 21-day extension of time to
18 file dismissal papers as the government entities stated they required additional review of the final
19 settlement agreements before approval. (Dkt. 154).

20 The parties now seek a second 21-day extension as USAO-C.D. Cal. has not completed its
21 review of the settlement agreements first provided on March 19, 2024, which is a necessary step
22 before DOJ can complete its review. Relators’ counsel has had multiple discussions with the DOJ
23 Trial Attorney in Washington D.C. The reason why USAO-C.D. Cal. has not completed its review
24 remains unknown.

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Accordingly, the parties respectfully request that the deadline to submit dismissal papers, currently set for June 11, 2024, be continued by 21-days to July 2, 2024, within which time the parties hope dismissals will be filed, or the parties will provide a further update to the Court.

IT IS SO STIPULATED, through Counsel of Record.

Dated: June 11, 2024

COTCHETT, PITRE & McCARTHY LLP

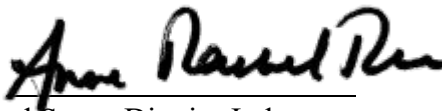
By: s/Grace Y. Park
GRACE Y. PARK
Counsel for Relators

Dated: June 11, 2024

FOLEY & LARDNER LLP

By: s/Thomas F. Carlucci
THOMAS F. CARLUCCI
Counsel for Defendants

IT IS SO ORDERED:

By: 
United States District Judge

Dated: Jun 11, 2024